

MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
BUDGET AND ADMINISTRATION COMMITTEE

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COASTAL HEARING ROOM
SACRAMENTO, CALIFORNIA

WEDNESDAY, DECEMBER 4, 2002
9:00 A.M.

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LICENSE NUMBER 10063

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APPEARANCES

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Linda Moulton-Patterson

Michael Paparian

BOARD MEMBERS

Carl Washington

STAFF

Mark Leary, Executive Director

Kathryn Tobias, General Counsel

Terry Jordan, Deputy Director

Michael Bledsoe, Staff Counsel

Elliot Block, Staff Counsel

Deborah Borzelleri, Staff Counsel

Wendy Breekon

Marie Carter, Staff Counsel

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Tom Estes

Martha Gildart

Marielena Gonzalez

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Jim La Tanner

Steve Levine, Staff Counsel

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1 PROCEEDINGS

2 CHAIRPERSON MEDINA: Good morning. December the
3 4th, 2002. This is a meeting of the Budget and
4 Administration Committee. And this meeting is called to
5 order.

6 Please turn off your cell phones and pagers or
7 put your pagers and phones on vibrating mode.

8 I'd like to begin by welcoming new Board Member,
9 Carl Washington, a former Assemblyman. And we're very
10 happy to have you on this Committee and as a member of the
11 Integrated Waste Management Board.

12 So welcome.

13 BOARD MEMBER WASHINGTON: Thank you.

14 CHAIRPERSON MEDINA: With that, if you'd take
15 roll call.

16 SECRETARY HARRIS: Paparian?

17 COMMITTEE MEMBER PAPARIAN: Here.

18 SECRETARY HARRIS: Medina?

19 CHAIRPERSON MEDINA: Here.

20 SECRETARY HARRIS: Washington?

21 BOARD MEMBER WASHINGTON: Here.

22 SECRETARY HARRIS: Linda Moulton-Patterson?

23 COMMITTEE MEMBER MOULTON-PATTERSON: Here.

24 SECRETARY HARRIS: And, Board members, are there
25 any ex partes?

1 Mr. Paparian?

2 COMMITTEE MEMBER PAPARIAN: I'm up to date.

3 CHAIRPERSON MEDINA: Ms. Moulton-Patterson?

4 COMMITTEE MEMBER MOULTON-PATTERSON: I'm also up
5 to date.

6 CHAIRPERSON MEDINA: Member Washington?

7 BOARD MEMBER WASHINGTON: I'm up to date.

8 CHAIRPERSON MEDINA: And I'm up to date.

9 With that I'll turn it over to our Deputy
10 Director, Terry Jordan.

11 DEPUTY DIRECTOR JORDAN: Good morning, Chair.

12 Good morning, Committee members. Terry Jordan with the
13 Administration Division.

14 I'd like to start out with just a short report.

15 And that being that, of course you've been hearing the
16 news with regards to the catastrophic situation that the
17 state budget is in. It continues to seem to be getting
18 worse. They've estimated at \$21 billion, but potentially
19 higher.

20 And the Governor on, let's see, the 26th of
21 November issued an executive order. And it was in an
22 attempt to take another step to reduce the state budget by
23 reducing programs, et cetera. And I understand that he is
24 also calling a special session of the Legislature on
25 December 9th to begin looking at how to -- to roll out his

1 package and to discuss with them how to implement this
2 budget.

3 So it continues to be actually a disastrous
4 situation for general funded agencies. And I know they're
5 going to be looking at alternatives also. And so I just
6 wanted to mention that.

7 There was in the executive order a direction by
8 the Governor for General Fund agencies to find savings,
9 including canceling contracts, reducing nonessential
10 travel, and some very strict reductions with regards to
11 programs operations.

12 So on that glum note we'll continue with -- just
13 letting you know that today's agenda includes the 2003
14 rulemaking calendar; a reallocation and direct grant
15 award; three contract awards -- three grant awards
16 including an allocation in oil; and one presentation from
17 the legal office.

18 So I'll turn it back over to you.

19 CHAIRPERSON MEDINA: Thank you, Ms. Jordan.

20 And with that we will move on to Item B,
21 consideration of the 2003 annual rulemaking calendar.

22 And this is to be presented by Elliot block.

23 (Thereupon an overhead presentation was
24 Presented as follows.)

25 STAFF COUNSEL BLOCK: Good morning. I'm Elliot

1 Block with the Legal Office. And I'm presenting Board
2 Agenda Item 20, Committee Item B, which is consideration
3 of the 2003 annual rulemaking calendar.

4 --o0o--

5 STAFF COUNSEL BLOCK: This is an administrative
6 requirement that's required annually. We're required to
7 submit this to the Office of Administrative Law. They
8 publish the rulemaking calendars from all state agencies
9 every year. Required by the Administrative Procedures Act
10 and Executive Order. And it's a list that lists all the
11 regulations that the agency is potentially going to be
12 developing and adopting for the coming year.

13 The list that's before you has been compiled with
14 input from the various regulation coordinators from each
15 Board division.

16 And I should say, just before the meeting I did
17 distribute unfortunately the second revised version of the
18 item. We did have another rulemaking package that
19 somebody wanted to add to the list for the coming year.
20 And I'll talk about that in just a moment.

21 --o0o--

22 STAFF COUNSEL BLOCK: Very quickly, the 2000
23 calendar before you has 28 rulemaking packages listed; 22
24 of those are carried over from last year's calendar,
25 including 6 which are new on this year's calendar. And

1 you can see those actually listed in one spot on page 3 of
2 the item.

3 Just as a point of information, from last year's
4 calendar we did have 6 regulation packages that were
5 approved by OAL. And then there are 2 more that were
6 adopted last year by the Board and 3 more that are pending
7 adoption -- excuse me -- last month by the Board and 3
8 more that are pending adoption this month from the 2002
9 calendar.

10 --o0o--

11 STAFF COUNSEL BLOCK: Just a couple of quick
12 notes about the calendar. The Board is not bound by any
13 projected dates that are listed on the calendar itself.
14 We do have the ability to add new regulation packages
15 during the middle of the year if they were things that
16 were not reasonably anticipated. And that's viewed fairly
17 liberally. We have in past years added some rulemaking
18 packages during the middle of year when that's become
19 necessary. And then emergency regulations are not
20 required to be listed.

21 --o0o--

22 STAFF COUNSEL BLOCK: So with that, that's a
23 brief presentation on having this. I can answer any
24 questions you have.

25 Otherwise, we would request that the Board

1 approve the 2003 rulemaking calendar -- excuse me -- the
2 Committee recommend that the Board approve the 2003
3 rulemaking calendar.

4 CHAIRPERSON MEDINA: Thank you.

5 Board members, any questions on this item?

6 Mr. Paparian.

7 COMMITTEE MEMBER PAPARIAN: Mr. Chairman, I'll
8 move adoption of Resolution 2002-735.

9 COMMITTEE MEMBER MOULTON-PATTERSON: Second.

10 CHAIRPERSON MEDINA: Resolution 2002-735 has been
11 moved by Board member Paparian, seconded by Linda
12 Moulton-Patterson.

13 Please call the roll.

14 SECRETARY HARRIS: Moulton-Patterson?

15 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

16 SECRETARY HARRIS: Paparian?

17 COMMITTEE MEMBER PAPARIAN: Aye.

18 SECRETARY HARRIS: Medina?

19 CHAIRPERSON MEDINA: Aye.

20 One more.

21 Okay. Resolution 2002-735 has been passed. And
22 with that it will go on the consent calendar for the Board
23 of Administration.

24 STAFF COUNSEL BLOCK: Thank you.

25 CHAIRPERSON MEDINA: Next item please.

1 MR. ESTES: Good morning, Chairman Medina,
2 Committee members. For the record, my name's Tom Estes.
3 I manage the Sustainable Building Section.

4 And bear with me. I believe this is the longest
5 title that the Board has ever been presented.

6 This item is consideration of reallocating
7 \$150,000 from the Fiscal Year 2002-2003 civil engineering
8 uses to green building and rubberized asphalt activities
9 in the market developmental allocation of the five-year
10 plan for the Waste Tire Recycling Management Program to
11 supplement funding for the proposed Lorin Grisette High
12 Performance Demonstration School Grant Project; and
13 consideration of a direct grant award to the Santa Ana
14 Unified School District on behalf of Lorin Grisette High
15 Performance Demonstration school.

16 What I thought I'd do is give you a little bit of
17 background how we came to choose this school and then what
18 we propose to do, if that would be okay with you.

19 CHAIRPERSON MEDINA: Certainly.

20 MR. ESTES: In 2001, the California Energy
21 Commission released a notice of funds available to fund
22 two high performance demonstration school grants of
23 \$250,000 each.

24 Santa Ana Unified School District submitted a
25 grant proposal for the Lorin Grisette project. However, two

1 other schools were selected by the CEC. Obviously -- I
2 think there was an energy bias there. And Lorin Grisct
3 was a runner up, but they were in that position because
4 they were at the optimal phase of their project in terms
5 of design where you could effect meaningful change.

6 This as well as other key issues, such as the
7 school's urban setting with a large amount of unhoused
8 pupils, funding cycle limitations, need, enthusiasm,
9 readiness, and urgency made Santa Ana Unified the most
10 viable candidate for the Board's high performance
11 demonstration school.

12 Therefore, at the October Board meeting at
13 Diamond Bar last year the Board awarded \$250,000 in
14 Integrated Waste Management account funds to Santa Ana
15 Unified in support of their efforts to make Lorin Grisct a
16 California High Performance Demonstration School and,
17 particularly, to make it a material show case. And I
18 wanted to draw emphasis on that because no other high
19 performance school has featured -- or focused on recycled
20 content building materials.

21 I'm now happy to report that the school's well on
22 its way to realizing that goal, as the design is now
23 complete and the project is expected to go to bid in a
24 about a month. However, we hope to do more.

25 And this item presents basically a collection of

1 thinking from the Board's programs on what we can do to
2 enhance it. And specifically what we want to do is fund
3 some RAC-related efforts as well as some resilient
4 playground surfacing, and then -- out of tire related
5 monies, and then we want to also focus some of the
6 energies of various school -- of the Board's various
7 programs on school related issues.

8 And with that we would recommend that the Board
9 award \$350,000 to the Santa Ana Unified School District on
10 behalf of Lorin Grisett High Performance Demonstration
11 School, which would break down in the amount of \$200,000
12 from the green building portion of Fiscal Year 2002-3 Tire
13 Cycling Management Funds, plus a reallocation of \$150,000
14 from the Fiscal Year 2002-2003 civil engineering uses in
15 the market development allocation in the five-year plan
16 for the Waste Tire Recycling Management Program.

17 And, like I stated before, all other assistance
18 proposed in this item, use of re-refined oil assistance,
19 development of a recycling program, all of that will be
20 funded out of the appropriate source at that time.

21 We ask that the Committee approve the proposed
22 award of grant and adopt Resolution number 2002-663.

23 I'm prepared to answer any questions if you have
24 any.

25 CHAIRPERSON MEDINA: Thank you, Mr. Estes.

1 Any questions?

2 Board Member Paparian.

3 COMMITTEE MEMBER PAPARIAN: Yeah, I just wanted
4 to say that when this came up last month in the Special
5 Waste Committee and again this month on that committee,
6 Mr. Jones and I both had some questions about some of the
7 tire technology that was being used. I met with the tire
8 staff, and I'm certainly satisfied now that this is a
9 worthy project. And I think Mr. Jones made the same
10 statement yesterday at his Special Waste Committee.

11 CHAIRPERSON MEDINA: Board Member Patterson.

12 COMMITTEE MEMBER MOULTON-PATTERSON: Chairman
13 Medina, I'd like to move enthusiastically Resolution
14 2002-663. And I'm not going to read the whole thing.

15 COMMITTEE MEMBER PAPARIAN: Second.

16 CHAIRPERSON MEDINA: Resolution 2002-663 has been
17 moved and seconded.

18 Call the roll please.

19 SECRETARY HARRIS: Moulton-Patterson?

20 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

21 SECRETARY HARRIS: Paparian?

22 COMMITTEE MEMBER PAPARIAN: Aye.

23 SECRETARY HARRIS: Medina?

24 CHAIRPERSON MEDINA: Aye.

25 And this is an excellent project, and this is a

1 good use of dollars. And I'm glad to see the RAC is being
2 used in this project.

3 MR. ESTES: Thank you.

4 CHAIRPERSON MEDINA: Call the next item please.

5 Item D.

6 DEPUTY DIRECTOR JORDAN: Item D will be presented
7 by Jim La Tanner.

8 MR. LA TANNER: I'm Jim La Tanner, Supervisor for
9 the Recycling Market Development Revolving Loan Program.

10 Committee Item D, Board Agenda Item 4, is
11 consideration of the Recycling Market Development
12 Revolving Loan application for Amigo Environmental, Inc.
13 This was approved at the Special Waste and Market
14 Development Committee on Monday and will be heard at the
15 Loan Committee on Thursday. With the Loan Committee's
16 approval, it will stay on fiscal consent for the Board
17 meeting.

18 Staff recommends that this Committee approve loan
19 contained in Resolution 2002-764 to Amigo Environmental,
20 Inc., in the amount of \$50,000.

21 Any questions?

22 CHAIRPERSON MEDINA: Board members, any
23 questions, any comments?

24 Mr. Paparian.

25 COMMITTEE MEMBER PAPARIAN: Mr. Chairman, I can

1 just report that at the Special Waste Committee this and
2 then all the additional RMDZ items we approved unanimously
3 with the recommendation of support provided that the Loan
4 Committee was satisfied at their meeting on December 5th.

5 With that -- I'm sorry --

6 COMMITTEE MEMBER MOULTON-PATTERSON: You'll move
7 it?

8 COMMITTEE MEMBER PAPARIAN: Yeah, I'll move
9 adoption of Resolution 2002-764.

10 COMMITTEE MEMBER MOULTON-PATTERSON: I'll second
11 that.

12 CHAIRPERSON MEDINA: Resolution 2002-764 has been
13 moved and seconded. Consideration of the Recycling Market
14 Development Revolving Loan Program application from Amigo
15 Environmental, Inc.

16 Call the roll please.

17 SECRETARY HARRIS: Moulton-Patterson?

18 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

19 SECRETARY HARRIS: Paparian?

20 COMMITTEE MEMBER PAPARIAN: Aye.

21 SECRETARY HARRIS: Medina?

22 CHAIRPERSON MEDINA: Aye.

23 This agenda we'll move on consensus to the full
24 Board.

25 MR. LA TANNER: Committee Item E, Board Agenda

1 Item 5, is consideration of the Recycling Market
2 Development Revolving Loan Program Application for North
3 SLO County Recycling, Inc., in the amount of \$750,000.
4 That also will be heard at the Loan Committee on December
5 5th; and with approval it will stand on fiscal consent for
6 the Board meeting.

7 Staff recommends that this Committee approve the
8 loan contained in Resolution 2002-765 to North SLO County
9 Recycling in the amount of \$750,000.

10 Any questions?

11 CHAIRPERSON MEDINA: Board members, any comments
12 or questions regarding this item?

13 COMMITTEE MEMBER MOULTON-PATTERSON: With no
14 questions, I'll go ahead and move Resolution 2002-765,
15 consideration of the Recycling Market Development
16 Revolving Loan Program application for North San Luis
17 Obispo County Recycling, Inc.

18 COMMITTEE MEMBER PAPARIAN: Second.

19 CHAIRPERSON MEDINA: Resolution 2002-765 has been
20 moved and seconded.

21 Call the roll please.

22 SECRETARY HARRIS: Moulton-Patterson?

23 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

24 SECRETARY HARRIS: Paparian?

25 COMMITTEE MEMBER PAPARIAN: Aye.

1 SECRETARY HARRIS: Medina?

2 CHAIRPERSON MEDINA: Aye.

3 This resolution will move to consent calendar.

4 MR. LaTANNER: Committee Item F, Board Agenda
5 Item 6, is consideration of the Recycling Market
6 Development Revolving Loan Application for Van Duerr
7 Industries, Inc., in the amount of \$370,000. That will
8 also be heard at the Loan Committee on December 5th. And
9 with their approval, will move on fiscal consent for the
10 Board.

11 Staff recommends that this Committee approve the
12 loan contained in Resolution 2002-766 to Van Duerr
13 Industries in the amount of \$370,000.

14 Any questions?

15 CHAIRPERSON MEDINA: Board members, any comments
16 or questions regarding this item?

17 If not, could we have a motion.

18 COMMITTEE MEMBER MOULTON-PATTERSON: I'd like to
19 move Resolution 2002-766, consideration of the Recycling
20 Market Development Revolving Loan Program application for
21 Van Duerr Industries, Inc.

22 COMMITTEE MEMBER PAPARIAN: Second.

23 CHAIRPERSON MEDINA: Resolution 2002-766 is moved
24 by Chair Moulton-Patterson, seconded by Board member
25 Paparian.

1 Call the roll please.

2 SECRETARY HARRIS: Moulton-Patterson?

3 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

4 SECRETARY HARRIS: Paparian?

5 COMMITTEE MEMBER PAPARIAN: Aye.

6 SECRETARY HARRIS: Medina?

7 CHAIRPERSON MEDINA: Aye.

8 This item will move to fiscal -- to consensus.

9 Next item.

10 DEPUTY DIRECTOR JORDAN: Item G will be presented
11 by Ava De Lara.

12 MS. DE LARA: Good morning. I'm Ava De Lara with
13 Market Development. And I'm presenting for consideration
14 the award of a contract to KVIE for California Heartland
15 sponsorship. We have provided a handout of the corrected
16 resolution. But the item did get a 3-0 consensus vote at
17 the Market Development Committee on Monday.

18 And so we are actually asking that you approve
19 the award of contract in the amount of \$100,000 and adopt
20 the resolution for 2002-769.

21 Any questions?

22 CHAIRPERSON MEDINA: What are the revisions that
23 have been made to the resolution?

24 MS. DE LARA: It was just the title.

25 CHAIRPERSON MEDINA: Chair Moulton-Patterson.

1 COMMITTEE MEMBER MOULTON-PATTERSON: Thank you,
2 Mr. Medina.

3 I just had a question. Then I'd like to probably
4 move it. I know that, you know, my visits over to the
5 studio and on meetings with the California Heartland
6 people were told we can't directly say, you know, "Please
7 do a program on composting." But it was my understanding
8 that in the past they were working very closely with us.

9 And is that still the case?

10 MS. DE LARA: Absolutely, absolutely. As a
11 matter of fact more of our program managers want to get
12 involved in, you know, tire and household hazardous waste.
13 Education Unit are interested in getting stories out
14 there. And we get this approved, and we can hold our
15 first meeting.

16 COMMITTEE MEMBER MOULTON-PATTERSON: Okay, great.
17 Thank you.

18 With that I'd like to move approval of the
19 revised Resolution 2002-769, the award of a contract to
20 KVIE for California Heartland sponsorship. And that's
21 Contract Concept Number 36.

22 COMMITTEE MEMBER PAPARIAN: Second.

23 CHAIRPERSON MEDINA: Revised Resolution 2002-769
24 has been moved by Chair Moulton-Patterson, seconded by
25 Board member Paparian.

1 Call the roll please.

2 SECRETARY HARRIS: Moulton-Patterson?

3 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

4 SECRETARY HARRIS: Paparian?

5 COMMITTEE MEMBER PAPARIAN: Aye.

6 SECRETARY HARRIS: Medina?

7 CHAIRPERSON MEDINA: Aye.

8 This item has been passed and will be placed on
9 consensus.

10 DEPUTY DIRECTOR JORDAN: Item H will be presented
11 by Albert Johnson.

12 MR. JOHNSON: Good morning, Mr. Chairman, members
13 of the Committee.

14 This item is consideration of a contractor for
15 the engineering and environmental services contract for
16 the Tracy tire fire site. The Board had approved the
17 scope of work for this contract in August 2002. And after
18 that contracts issued the request for qualifications. We
19 had nine statements of qualifications submitted. All nine
20 were deemed complete and responsive.

21 The selection panel consisted of four people. We
22 had two people from the Waste Tire Branch, one person with
23 21-36, and a person from DTSC.

24 The Committee ranked the nine submittals the.
25 Top three candidates were interviewed. And as a result of

1 the interview, Levine Fricke was chosen as the contractor.

2 Staff recommends that the Board approve Levine
3 Fricke as the contractor for this contract and adopt
4 Resolution 2002-744.

5 In addition, we have the Special Waste Committee
6 meeting on Monday. The Board had put this item on fiscal
7 consent.

8 CHAIRPERSON MEDINA: Okay. Thank you.

9 Board members, any questions or comments
10 regarding this item?

11 Board Member Paparian.

12 COMMITTEE MEMBER PAPARIAN: Mr. Chairman, I'll
13 move Resolution 2002-744 with the addition of the name
14 Levine Fricke in the "Resolved" clause.

15 COMMITTEE MEMBER MOULTON-PATTERSON: I'll second
16 that.

17 CHAIRPERSON MEDINA: Okay. Resolution 2002- --
18 what was the number?

19 COMMITTEE MEMBER PAPARIAN: 744.

20 CHAIRPERSON MEDINA: -- 744 has been moved and
21 seconded.

22 Call the roll please.

23 SECRETARY HARRIS: Moulton-Patterson?

24 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

25 SECRETARY HARRIS: Paparian?

1 COMMITTEE MEMBER PAPARIAN: Aye.

2 SECRETARY HARRIS: Medina?

3 CHAIRPERSON MEDINA: Aye.

4 The resolution has been passed, and be placed on
5 fiscal consent.

6 DEPUTY DIRECTOR JORDAN: Item I will now be
7 presented by Martha Gildart.

8 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
9 Good morning.

10 Item I is the second cycle award under the
11 five-year plan for the Public Education and Amnesty Day
12 Grants to the local government. The Board had approved
13 criteria in February of 2002. The NOFA was issued in
14 March to over 1500 interested parties. We received 14
15 applications by the deadline in August, for a total
16 \$411,185.

17 A panel of staff reviewed the 14 applicants, and
18 are recommending 11 for award, totaling \$321,247. The
19 remaining monies out of the \$500,000 allocated to this
20 will be made available in the spring reallocation item for
21 other projects. And we recommend the Committee approve
22 the ranking and to adopt Resolution 2002-703.

23 Any questions?

24 CHAIRPERSON MEDINA: Board members, any comments
25 or questions regarding this item?

1 COMMITTEE MEMBER MOULTON-PATTERSON: I'll go
2 ahead and move it.

3 Okay. Thank you.

4 I'll move Resolution 2002-703, the grant awards
5 for the Local Government Waste Tire Public Education and
6 Amnesty Day Grant Program for Fiscal Year 2002-2003.

7 COMMITTEE MEMBER PAPARIAN: Second.

8 CHAIRPERSON MEDINA: Resolution 2002-703 has been
9 moved by Chair Moulton-Patterson, seconded by Board Member
10 Paparian.

11 Take the roll please.

12 SECRETARY HARRIS: Moulton-Patterson?

13 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

14 SECRETARY HARRIS: Paparian?

15 COMMITTEE MEMBER PAPARIAN: Aye.

16 SECRETARY HARRIS: Medina?

17 CHAIRPERSON MEDINA: Aye.

18 This item will be placed on the consent calendar.

19 DEPUTY DIRECTOR JORDAN: Item J will also be
20 presented by Martha Gildart.

21 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART.

22 Item J deals with the award of grants for the
23 Tire Product Commercialization and Applied Technologies
24 Grant Program. This is also the second cycle under the
25 five-year plan. Two million dollars is allocated to the

1 program.

2 The criteria were approved by the Board in June
3 of 2002, the notice of funds available issued in August.
4 Two hundred fifty interested parties. By the due date of
5 October 4th, we received 26 applications totaling over \$6
6 million.

7 A panel of four staff reviewed the 26
8 applications and are recommending that the Committee and
9 Board approve the ranking of the applications as appear in
10 the Table 2 -- Attachment 2, and that we will be awarding
11 funds to the top 8 applicants with passing scores,
12 totaling \$1,964,799.

13 Additionally there are another 5 passing
14 applicants who received more than the 70 points required
15 for award, but for which funds are not currently
16 available. Approving the ranking of those will allow them
17 to be considered in the spring when the Board handles any
18 reallocation of leftover tire dollars. As you saw in the
19 earlier item, there were some monies there.

20 So we are asking for approval of the ranking and
21 award to the top 8.

22 Any questions?

23 CHAIRPERSON MEDINA: Thank you, Ms. Gildart.

24 Any questions, Board members?

25 COMMITTEE MEMBER MOULTON-PATTERSON: I think my

1 questions have been answered. It was mainly that if
2 there's money available, we will be granting those that
3 had passing scores?

4 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

5 Yeah, in the order that they are ranked So we'll
6 be bringing back those 5, and we'll see how far down the
7 monies available will reach at that time.

8 COMMITTEE MEMBER MOULTON-PATTERSON: Did you have
9 a question before I move on it?

10 COMMITTEE MEMBER PAPARIAN: Just to clarify on
11 that. If there's a pot of money available for
12 reallocation, these will be among the various items that
13 would be considered? There could be other projects that
14 come forward that we decide to fund instead of this; it
15 could be playground grants or something else?

16 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

17 And the Board will be presented that entire list,
18 of all possible projects that we're aware, of what funds
19 are available. And then you make the decision on who gets
20 which --

21 COMMITTEE MEMBER PAPARIAN: Right. But it's
22 not --

23 COMMITTEE MEMBER MOULTON-PATTERSON: But they
24 wouldn't have to go through the whole competing process?

25 COMMITTEE MEMBER PAPARIAN: Right. But it's not

1 automatic that these folks will get money if we have the
2 funds available.

3 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:

4 They're just moved into that list.

5 COMMITTEE MEMBER PAPARIAN: Right.

6 COMMITTEE MEMBER MOULTON-PATTERSON: Okay. Thank
7 you. That's fine.

8 With that I'll move Resolution 2002-702 for the
9 grant awards for the Tire Product Commercialization and
10 Applied Technologies Grant Program for Fiscal Year
11 2002-2003.

12 COMMITTEE MEMBER PAPARIAN: Second.

13 CHAIRPERSON MEDINA: Resolution 2002-702 has been
14 moved by Chair Moulton-Patterson, seconded by Board Member
15 Paparian.

16 Call the roll please.

17 SECRETARY HARRIS: Moulton-Patterson?

18 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

19 SECRETARY HARRIS: Paparian?

20 COMMITTEE MEMBER PAPARIAN: Aye.

21 SECRETARY HARRIS: Medina?

22 CHAIRPERSON MEDINA: Aye.

23 Resolution 2002-702 has been passed. It will go
24 on the consent calendar.

25 I want to thank the staff for all the work that

1 you've done on this item. We're all very familiar with
2 the subject and with the issues related to this particular
3 item.

4 Thank you.

5 DEPUTY DIRECTOR JORDAN: Item K will be presented
6 by Shirley Willd-Wagner.

7 ACTING DEPUTY DIRECTOR WILLD-WAGNER: Good
8 morning, Committee members. Shirley willd-Wagner with the
9 Special Waste Division.

10 Item 17 is consideration of California State
11 University at Sacramento as the contractor for the
12 development of an environment justice guidance document
13 for local government, using used oil and household
14 hazardous waste collection programs specifically.

15 This item was approved at the Special Waste
16 Committee meeting on Monday. And the scope of work for
17 the item was approved back in September of this year. The
18 contract concept was actually approved last November.

19 This is for \$200,000. And the key goal for the
20 contract is to provide local governments with a tool to be
21 able to improve both design and delivery of used oil and
22 household hazardous waste facilities in minority
23 communities.

24 Dr. Dennis Tootelian is the Director of the
25 Center for Small Business in the College of Business at

1 California State University.

2 And the resolution has been -- or is in the
3 process of actually being revised to add, at the direction
4 of the Special Waste Committee, the actual dollar amount
5 in the resolution, so that the "Now, therefore, be it
6 resolved" will be in an amount of up to \$200,000.

7 Staff recommends that the Committee adopt
8 Resolution 2002-774 revised and pass it to the Board on
9 fiscal consent.

10 Are there any questions?

11 CHAIRPERSON MEDINA: Wonderful.

12 Board members, any questions or comments
13 regarding this item?

14 Madam, do you have a motion?

15 COMMITTEE MEMBER MOULTON-PATTERSON: Yes,
16 Chairman Medina. I will move Resolution 2002-774 for
17 California State University at Sacramento as a contractor
18 for development of an environmental justice guidance
19 document for local government for used oil and household
20 hazardous waste collection programs Fiscal Year 2002-2003
21 used oil program, Contract Concept Number 54.

22 COMMITTEE MEMBER PAPARIAN: Second.

23 CHAIRPERSON MEDINA: Okay. Resolution 2002-774
24 has been moved by Chair Moulton-Patterson, seconded by
25 Board Member Paparian.

1 Call the roll please.

2 SECRETARY HARRIS: Moulton-Patterson?

3 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

4 SECRETARY HARRIS: Paparian?

5 COMMITTEE MEMBER PAPARIAN: Aye.

6 SECRETARY HARRIS: Medina?

7 CHAIRPERSON MEDINA: Aye.

8 This item will be moved to the full Board on
9 fiscal consent.

10 DEPUTY DIRECTOR JORDAN: Item L will be presented
11 by Tricia Broddrick.

12 MS. BRODDRICK: Good morning. I'm Trish
13 Broddrick from the Office of Integrated Environmental
14 Education.

15 This item is for consideration of allocation from
16 the Used Oil Recycling Fund to supplement the School DEEL
17 Environmental Ambassador Pilot Program Grant Awards and
18 consideration of grant awards for the School DEEL
19 Environmental Ambassador Pilot Program Grant.

20 This agenda item seeks the Board's approval to
21 allocate \$130,000 from the Used Oil Recycling Fund that
22 will supplement the grants and to award 7 grants to the
23 recommended school districts as environmental ambassador
24 pilots.

25 Four hundred fifty thousand dollars from the IWMA

1 has been designated to support these ambassador programs.
2 These are the model school district programs for
3 integrated education and are direct grants to those school
4 districts.

5 We have \$450,000. And the way it's set up is
6 that we have designated 8 school districts after a long
7 review and evaluation process. And it also incorporated
8 on-site visits, extensive application information that was
9 provided by the proponents, and then a review team that
10 was comprised of staff from my office as well as DPLA and
11 the GAU. Legal was consistently involved in the process.
12 And we came up with 8 finalists in -- after the review
13 process we decided that all 8 merited funding.

14 The way that we were able to incorporate funding
15 for all 8 is that State Consumer Services Agency has
16 offered to fund one of the proponents because it happens
17 to be a school district in the Central Valley. And they
18 have PUC funding to promote, energy education and
19 integrated education in the Central Valley.

20 And we worked with Special Waste and their staff
21 and discussed the possibilities of incorporating their
22 messages and their concepts in the instructional materials
23 as well as in the teacher training program that's going to
24 be provided by a five-day institute in the summer.

25 This was reviewed and discussed with our

1 consultants and it was determined that this would be a
2 very appropriate process to incorporate into the
3 instructional and the training components of the grants
4 for these model programs to ensure that we have used oil
5 recycling, HHW, and even storm water pollution issues in
6 the materials and the training.

7 So \$130,000 is what we're asking to be
8 reallocated from the Used Oil Recycling Fund to this grant
9 program, to be divided up proportionately based upon the
10 school district's size. Some school districts -- for
11 instance, Los Angeles Unified will get a larger amount
12 than smaller ones, such Oak Grove School District.

13 So what we are seeking from the Committee is
14 approval of this reallocation as well as the grant awards.
15 This item was heard yesterday at the DPLA Committee. It
16 was approved unanimously.

17 So if you have any questions, I'd be happy to
18 answer those.

19 CHAIRPERSON MEDINA: Thank you.

20 Board members, any questions or comments?

21 COMMITTEE MEMBER MOULTON-PATTERSON: As I said
22 yesterday, I'm just really -- I just want to pass along my
23 thanks to your people, Trish, and to Pat Schiavo's staff
24 that have worked so hard on this. And it's really very
25 gratifying to me to see all the pieces coming together,

1 and it's a real exciting time to see the way that we're
2 implementing SB 373.

3 And so I would enthusiastically like to move
4 approval from this Committee. As yesterday we, as you
5 said, unanimously approved it in DPLA. And that's
6 Resolution 2002-770, allocation from the Used Oil
7 Recycling Fund for Fiscal Year 2002-2003 to supplement the
8 School DEEL Environmental Ambassador Pilot Program Grant
9 Awards in consideration of the grant awards for the school
10 DEEL D-E-E-L Environmental Ambassador Pilot Program Grant.

11 COMMITTEE MEMBER PAPARIAN: Second.

12 CHAIRPERSON MEDINA: Okay. Resolution 2002-770
13 has been moved by Chair Moulton-Patterson and seconded by
14 Board Member Paparian.

15 Call the roll.

16 SECRETARY HARRIS: Moulton-Patterson?

17 COMMITTEE MEMBER MOULTON-PATTERSON: Aye.

18 SECRETARY HARRIS: Paparian?

19 COMMITTEE MEMBER PAPARIAN: Aye.

20 SECRETARY HARRIS: Medina?

21 CHAIRPERSON MEDINA: Aye.

22 And this item will go on fiscal consent.

23 We're now going to take a 10-minute break to give
24 the Legal Office time to get ready for their presentation.

25 (Thereupon a recess was taken.)

1 CHAIRPERSON MEDINA: Can we get started? You
2 could introduce your staff.

3 CHIEF COUNSEL TOBIAS: Good morning, Chairman
4 Medina, Committee members, and Board Member Washington.

5 --o0o--

6 CHIEF COUNSEL TOBIAS: Today we're talking about
7 the Legal Office. I'm going to cover the Legal Office
8 duties. I'm going to talk a little bit about public
9 record requests because I know that's an interest
10 particularly of the Board.

11 I will be introducing staff, talking about some
12 of the Legal Office contracts that we have, and then
13 taking any questions that you may have.

14 --o0o--

15 CHIEF COUNSEL TOBIAS: The Legal Office, under
16 the direction of Chief Counsel, provides the CIWMB Board
17 with comprehensive legal support on AB 939 and other
18 programs that the Board carries out, including waste tire
19 management, used oil recycling, DPLA, markets, permits, et
20 cetera.

21 We support program staff in the development and
22 implementation of policies and programs including
23 reviewing staff recommended policies and program
24 initiatives for legal sufficiency. We also review
25 notices, agendas, and agenda items for Committee and Board

1 meetings.

2 --o0o--

3 CHIEF COUNSEL TOBIAS: We review court summons
4 and subpoenas. We review policy initiatives and
5 advisories, referrals or notices for enforcement of state
6 environmental public health and safety standards. And at
7 the request of staff, we also review other work in
8 progress, draft documents, et cetera.

9 --o0o--

10 CHIEF COUNSEL TOBIAS: The Chief Counsel provides
11 advice and counsel to the Executive Director and to the
12 BOARD. I also administer and maintain the Legal Office's
13 administrative responsibilities, including personnel
14 management, fiscal management, contractor procurement
15 management, staff training, and evaluation management, to
16 ensure that all Legal Office staff are equipped with
17 skills and knowledge necessary to meet the Board's needs.

18 --o0o--

19 CHIEF COUNSEL TOBIAS: The Legal Office provides
20 legal assistance to Board members in the development of
21 policy and operations as a Board. We review and, as I
22 mentioned, prepare when appropriate agenda items for the
23 Board and Board committees. We provide advice regarding
24 notice of Board and committee meetings. And we attend all
25 Board and committee meetings and Board workshops to advise

1 on legal aspects of waste management program.

2 --o0o--

3 CHIEF COUNSEL TOBIAS: With the Attorney General
4 we represent the Board in litigation brought on behalf of
5 or against the Board. We pursue administrative, civil,
6 and criminal penalties for violations of state standards
7 for solid wastes facilities, statewide planning
8 requirements, tire programs, and financial assurances.

9 We also -- the Board probably does not see this
10 at this level, but we receive, review, and process all the
11 Federal Act notices, including all RCRA, Resource
12 Conservation Recovery Act, notices that come to the Board,
13 notices for Clean Water Act, notices of abandonment,
14 bankruptcies, and other types of legal notices.

15 --o0o--

16 CHIEF COUNSEL TOBIAS: We provide legal
17 assistance to the Executive Director and the Board staff,
18 which includes a fair commitment of time to the rulemaking
19 procedure at the Board, which is the development and
20 adoption of regulations, including requirements of the
21 Administrative Procedures Act and procedures of the Office
22 of Administrative Law.

23 We also conduct legal research and prepare legal
24 opinions in a number of areas that the Board deals with.
25 And we review competitive contracts and grant agreements.

1 So under that category we advise Board staff regarding
2 contract requirements and procedures when necessary. We
3 advise the Board in Executive Directory regarding their
4 rights and obligations regarding contracts to which the
5 Board is a party, and we recommend positions which will
6 allow the Board to implement its policies.

7 --o0o--

8 CHIEF COUNSEL TOBIAS: We also represent the
9 Board in administrative appeals, which we often refer to
10 as AB 59, and in administrative penalty hearings. And
11 again a lesser known activity, but nevertheless important,
12 we represent the Board in personnel actions and in
13 providing legal counsel in personnel matters.

14 --o0o--

15 CHIEF COUNSEL TOBIAS: The Legal Office has a
16 substantial commitment of time to the Deputy Director of
17 Legislation. We review all the boards that are brought to
18 the attention of the Legal Office by the Deputy Director
19 of Legislation. We do prepare opinions or bill analyses
20 when requested. We have done substantial amount of
21 drafting proposed legislation for the various programs.
22 And we do review legislative language that's prepared by
23 other staff for legal sufficiency and consistency with
24 board policies.

25 --o0o--

1 CHIEF COUNSEL TOBIAS: The Legal Office also
2 responds to requests for information and documents from
3 the public, local governments, and stakeholders under the
4 Public Records Act.

5 And I thought this might be a good time just to
6 give you an idea of what kind of commitment of time and
7 effort this takes.

8 --o0o--

9 CHIEF COUNSEL TOBIAS: We do receive -- all the
10 Public Record Act requests are directed to the Legal
11 Office. A majority of them come in by facsimile, which
12 are primarily all the requests for due-diligence checks on
13 a specific property address. Most of the rest of the
14 requests come in on E-mail. A few come in through the
15 mail at this point, but mostly on E-mail.

16 Many come to the Legal Office. Sometimes they
17 come through program staff. We also are receiving
18 increasing number through the CIWMB website.

19 --o0o--

20 CHIEF COUNSEL TOBIAS: When those requests are
21 received, they go to Dona Surges, who I will introduce in
22 a moment, in the Legal Office. Those can be faxed to her
23 number, as we say, sent in over the web, or on regular
24 mail. And there is no special forum to make a Public Act
25 request. We just ask that they explain clearly what they

1 want and make sure that there is a way to respond to that.

2 --o0o--

3 CHIEF COUNSEL TOBIAS: Using just the last three
4 months as an example. In August we received 38 requests,
5 September 52, and October 43. As you can see, a great
6 number of these are due-diligence checks on specific
7 addresses. What that means is that consultants, property
8 owners who are doing due-diligence, different people who
9 are looking to see whether the property that they're
10 interested in whether it has any problems -- generally
11 these are related to hazardous waste types of requests --
12 are sent in.

13 The next greatest number are contract grant
14 related documents and just general questions. We also get
15 requests to review the Swiss facilities files that are
16 located in Permitting and Enforcement.

17 We get a small number of requests for planning
18 documents and transcripts. We also get -- about 10
19 percent of our requests are what we call misrouted
20 documents, which mean that they are asking for public
21 information but it's generally not information related to
22 the Waste Board. So it might be information that's
23 related to Department of Toxics, Air Board, Water Board, a
24 local agency.

25 So although 10 percent of our requests are that,

1 that actually takes a fair amount of time because we have
2 to basically track down what information they are
3 accurate -- or try to find accurately what they are
4 looking for, and then get that information to the correct
5 agency.

6 CHAIRPERSON MEDINA: Just one question regarding
7 the public records.

8 When a public records request comes in regarding
9 Board members, do you have that noted in your records
10 here? Or how do you handle those? Does the Public
11 Information Office also receive those requests and do they
12 route those to you?

13 CHIEF COUNSEL TOBIAS: When we do receive public
14 record requests for a specific Board member, we do
15 generally send those both -- all of these go to the
16 Executive Director. He receives all of these so that he
17 knows what kinds of information is being asked for. We
18 would then notify the Board member themselves that we had
19 received that information. We do work with the Board
20 members in researching their files to see what information
21 does come up.

22 Generally we don't receive that many requests for
23 specific -- for information regarding specific Board
24 members. What we do tend to get more is requests that ask
25 for information that might be in Board member's files. So

1 we have worked with the Board on going over those files.

2 All the information that we send back out on
3 these public records requests is reviewed by Dona Surges,
4 who is a paralegal and who has a number of years experience
5 working with these. And if there's any question, she
6 brings them directly to me. And generally I review
7 anything that there's a question.

8 If there's confidential information, privileged
9 information such as attorney-client information, or
10 something like that, the information's either redacted,
11 which means it's lined out on the response, or if we are
12 not disclosing the information because it does, for
13 example, have an attorney-client privilege on it, we send
14 a letter basically citing the statute that says that we
15 don't have to disclose that, and we tell the person why
16 they're not receiving that information.

17 If they dispute that, they generally come back to
18 us explaining why they think we are not able to keep that
19 information back. I don't remember a situation where
20 we've had somebody go to court. But that would be their
21 next step is to basically go to court and challenge us on
22 our reason for not disclosing that information.

23 That's a good question.

24 --o0o--

25 CHIEF COUNSEL TOBIAS: The next slide is on the

1 organization chart for the office. We have three staff
2 counsel -- three's and four's staff counsel, we have two
3 parallels, two student assistants, two law clerks, and a
4 vacant legal secretary position.

5 --o0o--

6 CHIEF COUNSEL TOBIAS: I'm going to have the
7 staff very briefly introduce themselves so that you'll
8 have a face with the name and with the area that they
9 cover. I cover Board-related questions and ex parte
10 communications. So those questions always come directly
11 to me. They don't go through staff. I deal with
12 questions coming up with the Board, with Bagley-Keene.
13 And then I also deal with permitting an enforcement with
14 enforcement on the solid waste facilities. And I do have
15 an extensive background in CEQA. So I'm going to let each
16 of the attorneys introduce themselves quickly.

17 STAFF COUNSEL BLOCK: I'm Elliot Block. And I
18 work primarily with the Diversion, Planning and Local
19 Assistance Division. I do a fair amount of work relating
20 to regulations. And then I also deal with issues that
21 come up relating to composing, flood control, conflict of
22 interest and the filings relating to that, and then also
23 the tier regulations.

24 --o0o--

25 STAFF COUNSEL BLEDSOE: Good morning. I'm

1 Michael Bledsoe. I work primarily with Market Development
2 Loan Programs, AB 59 issues, hearing panels and appeals,
3 solid waste facilities, permitting and enforcement issues,
4 and CEQA.

5 STAFF COUNSEL CARTER: Good morning. I'm Marie
6 Carter. And I give legal advice primarily on contract
7 matters, grant matters, and administrative issues.

8 --o0o--

9 STAFF COUNSEL BORZELLERI: Good morning. I'm
10 Deborah Borzelleri. I work primarily with the Market
11 Development Division in the recycle content programs,
12 including the rigid plastic program, plastic trash bags,
13 and newsprint.

14 I also represent the Board in personnel matters.
15 I deal with intellectual property issues, also financial
16 assurances for landfills and tire facilities,
17 environmental justice, radioactive waste issues, and the
18 federal RCRA Subtitle D issues that come up.

19 STAFF COUNSEL LEVINE: Good morning. I'm Steven
20 Levine, staff counsel. I'm involved with the Closed,
21 Illegal and Abandon Sites Program; the Solid Waste Cleanup
22 Program, AB 2136; Waste Tire Enforcement; and I also
23 supervise the law clerk program.

24 I'd also like to relate Jody Feldman's duties,
25 who was unable to be here today due to illness. Jody's

1 involved with waste tire enforcement and used oil.

2 --o0o--

3 STAFF COUNSEL BRECKON: Good morning. My name is
4 Wendy Breckon. I'm primarily working with the waste tire
5 grants and contracts. I also do the Waste Tire Hauler
6 Program, recently worked on the proposed regulations for
7 waste tire haulers.

8 MS. SURGES: Good morning. I'm Dona Surges. I
9 work at Public Records Act requests, the RCRA citizen
10 suits, bankruptcy notices, legislation. I'm the liaison
11 and the ITAC rep right now.

12 STAFF COUNSEL REILLEY: Good morning. I'm Jim
13 Reilley. I work primarily in tire enforcement. My duties
14 include service of process, property and asset searches,
15 court filings, scheduling, maintaining the electronic data
16 base. And I am the OAH contracts manager as well as the
17 grant manager for the California District Attorneys
18 Association Grant.

19 CHIEF COUNSEL TOBIAS: Our law clerks are in the
20 middle of their studying for their exams. So Jo Bohannon
21 and Maura Deering are not here this morning.

22 Also our student assistants are Andrea Ford, who
23 is not here today; and then Marielena Gonzalez, who is
24 doing our slide presentation this morning.

25 The last thing I was going to cover are the Legal

1 Office contracts that are managed contracts that are
2 managed out of the Legal Office.

3 --o0o--

4 CHIEF COUNSEL TOBIAS: Those include one with the
5 Department of General Services for the Office of
6 Administrative Hearing. That's where we do all the tire
7 hearings, the enforcement for the tire hearings before an
8 administrative law judge. This contract has been extended
9 from the prior fiscal year to use up the remaining funds,
10 which is approximately \$64,000. Additionally \$45,000 has
11 been allocated from the tire recycling fund to bring this
12 contract up to the funding amount required to cover all of
13 the administrative hearings expected in the next fiscal
14 year.

15 We also have a contract with West Group, which is
16 West Law Database, which provides our on-line legal
17 research services. This contract has been extended as
18 well from the prior fiscal year to use up the remaining
19 funds, which is approximately \$5,000. Additionally
20 \$10,000 has been allocated from the three funds, as I'll
21 indicate in a moment, bringing this contract up to the
22 funding amount required for the next fiscal year.

23 So we have \$6,000 coming from the IWMA, \$500 from
24 used oil, and \$3,500 from tire recycling. Those are
25 allocated on the basis of the type of use that we expect

1 from that contract. So over the years we've been able to
2 basically attribute it to it. Clearly tires takes up a
3 fair amount of our research, at least at this time.

4 We have one contract that is currently not in
5 effect at this time. It's the one with Boutin, Dentino,
6 Gibson, Di Giusto and Hodell. This is our contract
7 primarily with Doug Hodell, who does our RMDZ loan program
8 legal services. This has been a very important contract
9 for the Legal Office. Mr. Hodell has been advising us on
10 the loan program since the very beginning, and he has an
11 extensive background in loan work.

12 This contract was for legal services. We do
13 basically the first cut on questions that come in from the
14 loan program. But as you may guess from hearing it at the
15 Board meetings, some of the loans and particularly once a
16 loan goes bad, can be very complex. The law is very
17 complex on this in terms of protecting the Board and
18 getting our money back.

19 So the annual allocation for 2002-2003 for the
20 Hodell contract was reduced to \$100,000 due to a more
21 efficient use of outside counsel. But at the moment due
22 to a issue with the AG's office, the Governor's office,
23 and our hiring freeze, this contract is not in effect. We
24 do hope to be able to renegotiate or re-up this contract.

25 We have one grant that the Legal Office has

1 recently taken on. It was approved by the Board last
2 year. And that's the contract with the CDAA, the
3 California District Attorneys Association. This was a
4 grant for \$325,000, which was to fund a circuit prosecutor
5 to work on waste tire cases at the local level.

6 This will initially focus on two to three
7 counties, and it is basically to be able to pursue
8 criminal prosecution at the local level and to build that
9 up with the district attorneys.

10 So that did pay for a circuit prosecutor, an
11 investigator, and some training with the CDAA. The grant
12 contract -- sorry -- the grant expires in April 2004.

13 --o0o--

14 CHIEF COUNSEL TOBIAS: In summary, I'd like to
15 say that we appreciate the opportunity to present the
16 information about the Legal Office. I used to say that I
17 think that this is one of the best legal offices in the
18 state government. But I realize that I didn't really need
19 to limit it to state government.

20 I think that these are very bright individuals we
21 have in the Legal Office. They're very client oriented, I
22 think much more so than I think many of the attorneys in
23 state government, because of the way this Board was set
24 up, so the attorneys spend probably a predominant amount
25 of their time working with staff, with advisors, with

1 Board members, on matters before the Board. And I have to
2 say, I'm very proud of them.

3 I also want to thank Dona Surges for preparing
4 and producing our presentation today. So thank you. And
5 I'd be happy to take questions.

6 CHAIRPERSON MEDINA: Okay. Thank you.

7 Board members, any questions?

8 COMMITTEE MEMBER MOULTON-PATTERSON: I have no
9 questions. Just thank you for all that you do for us.
10 It's really extensive and we appreciate it.

11 CHAIRPERSON MEDINA: I think it would be helpful
12 to us if you could give us a copy of your presentation.

13 CHIEF COUNSEL TOBIAS: Sure.

14 CHAIRPERSON MEDINA: I think it's very helpful to
15 be able to place names and faces with the areas of
16 responsibility.

17 CHIEF COUNSEL TOBIAS: Okay.

18 CHAIRPERSON MEDINA: So again thank you for your
19 presentation and for doing a good job.

20 CHIEF COUNSEL TOBIAS: Thank you.

21 CHAIRPERSON MEDINA: Public comment?

22 Any public comment.

23 If not, this meeting is adjourned.

24 /////

25 /////

1 (Thereupon the California Integrated Waste
2 Management Board, Budget and Administration
3 Committee adjourned at 10:10 a.m.)
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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board,
7 Budget and Administration Committee meeting was reported
8 in shorthand by me, James F. Peters, a Certified Shorthand
9 Reporter of the State of California, and thereafter
10 transcribed into typewriting.

11 I further certify that I am not of counsel or
12 attorney for any of the parties to said meeting nor in any
13 way interested in the outcome of said meeting.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 this 2nd day of January, 2003.

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22
23 JAMES F. PETERS, CSR, RPR
24 Certified Shorthand Reporter
25 License No. 10063